

REMARKS

Claims 8 and 9 have been canceled. Claims 3, 4, 6, and 7, amended claims 1, 2, and 5, and new claims 10-14 are in this application.

Claims 1-9 were rejected under 35 U.S.C. 102(b) as being anticipated by JP 02249333 (Hirade Junji et al.). \

Amended independent claim 1 recites in part the following:

"scramble operation processing means including plural stages of shift registers, and a cyclic operation processing circuit for performing a predetermined operation processing on the basis of a hold value of a predetermined stage of the shift registers and the transmit data to generate scramble-processed data;

data generating means for generating bit data of a predetermined pattern and for supplying the generated bit data of the predetermined pattern to one or more of the shift registers and for outputting same;"
(Emphasis added.)

Accordingly, the apparatus of claim includes scramble operation processing means (which includes plural stages of shift registers) and data generating means. Additionally, the data generating means may generate and supply bit data to one or more of the shift registers.

In explaining the above 102 rejection with regard to claim 1, and as best understood, the Examiner appears to assert that a random signal generator of Junji (which includes shift registers SR1-SR6) is the same as the scramble operation processing means of claim 1, and that the same random signal generator of Junji is the same as the data generating means of claim 1.

It is respectfully submitted that Junji as apparently applied by the Examiner does not appear to disclose both scramble operation processing means (which includes plural stages of shift registers) and data generating means (which may generate and supply bit data to one or more of the shift registers), as specifically recited in claim 1. Although the random signal generator of Junji appears to include six shift registers (SR1-SR6), such random signal generator does not appear to be the same as both scramble operation processing means and data generating means of claim 1.

Accordingly, for at least the reasons discussed above, it is respectfully submitted that claim 1 is distinguishable from Junji as applied by the Examiner.

For reasons similar to or somewhat similar to those previously described with regard to claim 1, it is also respectfully submitted that amended independent claim 5 is also distinguishable from Junji as applied by the Examiner.

Claims 2, 3, 4, 6, and 7 are dependent from one of independent claims 1 and 5. Accordingly, it is also respectfully submitted that dependent claims 2, 3, 4, 6, and 7 are distinguishable from Junji as applied by the Examiner for at least the reasons previously described.

New independent claim 10 and new dependent claims 11-14 have been added herein. It is believed that the present application provides support for such new claims. With regard thereto, and as an example, reference is made Figs. 4 and 6 of the present application and the corresponding portions in the present specification.

As it is believed that all of the rejections set forth in the Official Action have been overcome, favorable reconsideration and allowance are earnestly solicited. If,

however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that the Examiner telephone applicant's attorney at (908) 654-5000 in order to overcome any additional rejections and/or objections which the Examiner might have.

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

Dated: October 9, 2008

Respectfully submitted,

By D. M. Smid
Dennis M. Smid, Esq.
Registration No.: 34,930
LERNER, DAVID, LITTBENBERG,
KRMHOLZ & MENTLIK, LLP
600 South Avenue West
Westfield, New Jersey 07090
(908) 654-5000
Attorney for Applicant

917921_1.DOC